

ATTORNEY DOCKET NO. 07037.0010US  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
 )  
 Phillip A. Moore, Jr. ) Examiner: Levy, Neil S.  
 )  
 Serial No. 09/729,579 ) Group Art Unit: 1616  
 )  
 Filed: December 4, 2000 ) Confirmation No.: 4472  
 )  
 For: "METHODS FOR TREATING )  
 MANURE" )

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859

Sir:

The Board of Trustees of the University of Arkansas and the Government of the United States of America (as represented by the Secretary of Agriculture) state that they are the Assignees and exclusive owners of the entire right, title and interest of, in and to Application Serial No. 09/729,579 (referred to herein as "the '579 application"), by virtue of a recorded assignment from Phillip A. Moore, Jr., which is recorded at Reel 011444, Frame 0786, in the patent assignment records of the United States Patent and Trademark Office.

The Board of Trustees of the University of Arkansas and the Government of the United States of America (as represented by the Secretary of Agriculture) also state that they are the Assignees and exclusive owners of the entire right, title and interest of, in, and to U.S Patent No. 6,346,240 (referred to herein as "the '240 patent"), also by virtue of a recorded assignment from Phillip A. Moore, Jr., which is recorded at Reel 9621, Frame 0781, in the patent assignment records of the United States Patent and Trademark Office.

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The Board of Trustees of the University of Arkansas and the Government of the United States of America (as represented by the Secretary of Agriculture) hereby disclaim the terminal part of any patent granted on the '579 application that would extend beyond the expiration date of the '240 patent. The Board of Trustees of the University of Arkansas and the Government of the United States of America (as represented by the Secretary of Agriculture) hereby further agree that any patents granted on the '579 application shall be enforceable only for and during such period that the legal title to the '240 patent and any patent granted upon the '579 application shall be the same. This agreement shall run with any patent granted on the above-identified application and be binding upon any grantee, its successor or assigns.

In making the above disclaimer, the Board of Trustees of the University of Arkansas and the Government of the United States of America (as represented by the Secretary of Agriculture) do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 or 173, of a prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

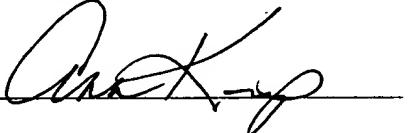
The statutory fee under 37 C.F.R. § 1.20(d) of \$130.00 for a disclaimer is enclosed. This amount is believed to be correct; however, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

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The undersigned (whose title is supplied below) is authorized to act on behalf of the Board of Trustees of the University of Arkansas. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Done this 7<sup>th</sup> day of June, 2005.

Board of Trustees of the University of Arkansas

By: 

Name: Ann Kemp

Title: Vice President  
Finance and Administration

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The undersigned (whose title is supplied below) is authorized to act on behalf of the Government of the United States of America (as represented by the Secretary of Agriculture). I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Done this 8 day of June, 2005

Government of the United States of America  
(as represented by the Secretary of Agriculture)

By: Richard J. Brenner

Name: Richard J. Brenner

Title: Assistant Administrator,  
U.S. Department of Agriculture-  
Agricultural Research Service